

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GESA S. KALAFI-FELTON,

Plaintiff,

v.

ORDER

11-cv-480-wmc

PETER HUIBREGTSE, TIM HAINES,
GRAY BROUGHTON, MONICA HORNER,
LYNDA SCHWANDT, BRIAN KOOL, TRACY MARTIN,
MARY TAYLOR, JOANNE GOVIER, THOMAS BELZ,
JARED BARR, JANET FISCHER, JUSTIN PEAK,
CURTIS KEPHART, JACOB DUNBAR, NICHOLAS MORIS,
CHRISTINE WATTERS, LESA NOVINSKA,
MICHAEL SHERMAN, JOHN KUSSMAUL,
MELANIE HARPER, TIMOTHY GILBERG,
LEBBEUS BROWN, KURT HOEPER, DAVID GARDNER,
ELLEN RAY, KELLY TRUMM, CHRISTINE BEERKIRCHER,
PHILLIP HENNEMAN, AARON RICHTER, ROBYN HEDEMAN,
MICHAEL HANSFELD and JERRY MCDANIEL,

Defendants.

Plaintiff Gesa S. Kalafi-Felton filed this complaint under 42 U.S.C. § 1983 alleging that the defendants violated his constitutional rights. After reviewing plaintiff's complaint, the court identified the following eight separate lawsuits contained in his complaint.

Lawsuit #1: Defendants Kool, Taylor, McDaniel, Peak, Fischer, Martin, Barr, Kussmaul and Henneman, Huibregtse, Ray, Trumm, Beerkircher, Harper, Horner and Broughton, Gardner of denying him due process by denying him advancement in the High Risk Offender Program.

Lawsuit #2: Defendants Richter, Sherman, Novinska, Gilberg, Watters, Kephart, Dunbar and Moris violated his Fourth and Eighth Amendment rights to be free from unreasonable searches.

Lawsuit #3: Defendants Brown, Hoeper, Govier, Broughton, Gardner, Huibregtse, Schwandt and Horner deprived plaintiff of his property without due process.

Lawsuit #4: Defendants Kool, Harper, Gardner, Huibregtse, Taylor, Martin, Kussmaul, Barr, Henneman, Broughton, Brown, Horner and Schwandt removed

him from the High Risk Offender Program and moved him to the Adjustment Center in retaliation for filing a complaint against defendant Broughton.

Lawsuit #5: Defendants Kussmaul, Kool, Taylor, McDaniel, and Barr moved him to a security camera cell in violation of the Fourth and Eighth Amendment and that defendants Trumm and Huibregtse failed to correct the violation.

Lawsuit #6: Defendants Kool, Govier, and Kussmaul retaliated against him when he complained of a pat search by defendant Govier.

Lawsuit #7: Defendant Hansfeld denied him due process when he was an impartial hearing officer on his conduct report arising out of the pat search by defendant Govier.

Lawsuit #8: Defendants Beerkircher, Ray and Trumm denied him access to the courts by failing to properly administer the inmate complaint review system.

The court gave plaintiff the opportunity to choose which lawsuit he wished to pursue in this case and which of the remaining lawsuits he wished to prosecute. Instead, plaintiff has submitted a proposed amended complaint with a letter. In his letter, he disagrees with the court's identification of eight separate lawsuits and advises that his proposed amended complaint now satisfies Rule 18 and 20. Unfortunately, plaintiff is not correct. He continues to allege unrelated claims against different sets of defendants. For example, he alleges that all the defendants retaliated against him for complaining to Broughton, Lawsuit #4; that some defendants retaliated against him when he complained of a pat search by defendant Govier, Lawsuit #6; and that defendant Hansfeld denied him due process when he was an impartial hearing officer on the conduct report arising out of the pat search, Lawsuit, #6. As the court previously stated, plaintiff cannot join these unrelated claims against different defendants in the same lawsuit.

The court will not accept plaintiff's proposed amended complaint for screening. Plaintiff may have until November 7, 2011 to notify the court which of the above numbered lawsuits he wishes to pursue in this case and which of the remaining laws suits he wishes to prosecute and which ones he wishes to withdraw voluntarily.

ORDER

IT IS ORDERED that:

1. No later than November 7, 2011, plaintiff must identify for the court which one of the eight separately numbered lawsuits identified above in opinion he wishes to pursue under the case number assigned to his complaint.
2. Not later than November 7, 2011, plaintiff must tell the court which of the remaining separately numbered lawsuits he will continue to prosecute at this time, if any, and which of the remaining lawsuits he will withdraw voluntarily at this time, if any.
3. For any lawsuit that plaintiff dismisses voluntarily, he will not owe a filing fee.
4. For any lawsuit that plaintiff advises the court he intends to prosecute at this time (other than the one he keeps under this case number), he will owe a separate \$350 filing fee.
5. If plaintiff fails to respond to this order by November 7, 2011, then I will enter an order dismissing without prejudice this entire lawsuit as it currently is presented, based on plaintiff's failure to prosecute it.

Entered this 14th day of October, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge